



Patent  
147117-100001

1743  
10-29-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

C. KUMAR N. PATEL et al.

Serial No.: 09/812,067

Filed: March 19, 2001

For: DIAGNOSTIC METHOD FOR  
HIGH SENSITIVITY DETECTION OF  
COMPONENT CONCENTRATIONS IN  
HUMAN GAS EMISSIONS

Group Art Unit: 1743

Examiner: R. Nasser

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RESPONSE TO AUGUST 26, 2003 RESTRICTION/ELECTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

Sir:

Attorney for applicant regrets that he was unable to more promptly reply to Examiner Nasser's restriction/election requirement; however, consultations with the client was delayed due to the client's travel schedule.

Restriction Requirement

Applicant elects, with traverse, Group I (claims 1-44 and 52-55).

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 23, 2003  
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**Election Requirement**

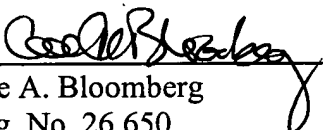
Applicant elects, with traverse, species II (drawn to Fig. 3). Claims, as amended (a Preliminary Amendment accompanies this Response), that read on the species shown in Fig. 3 are 1-45 and 47-55 (claim 46 is canceled in the accompanying Preliminary Amendment).

Evidence that the species I and I-VIII are not patentably distinct, such that the traverse to the election is proper, is that the claims (as amended) are supported by each of the figures of the application.

Respectfully submitted,

**JONES DAY**

Dated: September 23, 2003

By:   
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